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Attorney for Defendant  
MICHAEL STEVENS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**UNITED STATES OF AMERICA,**

Plaintiff,

vs.

**MICHAEL STEVENS,**

Defendant(s).

Cr. S-04-289 WBS

**STIPULATION AND [PROPOSED]  
ORDER RE: CONTINUANCE OF  
STATUS CONFERENCE AND  
EXCLUSION OF TIME UNDER  
SPEEDY TRIAL ACT**

Hon. William B. Shubb

**STIPULATION**

Plaintiff, United States of America, by and through its counsel, Assistant United States Attorney Matthew Segal, and defendant Michael Stevens, by and through his counsel, Hayes H. Gable III, agree and stipulate to vacate the existing status conference in the above-captioned action, July 13, 2005, and to continue the matter to August 17, 2005, at 9:00 a.m.

The reason for this continuance is that the government is in possession of information which requires further investigation. The case agent was recently reassigned and a new case agent has taken over and needs time to investigate the information. The parties are not in a position to resolve this case until it is determined what benefit the defendant may receive as a result of the provided information. The parties further agree and stipulate that the period for the filing of this stipulation until August 17, 2005, should be excluded in computing time for commencement of trial under the Speedy Trial Act, based upon the interest of justice under 18 U.S.C. § 3161(h)(8)(B)(iv)

1 and Local Code T4, to allow continuity of counsel and to allow reasonable time necessary for  
2 effective presentation.

3 It is further agreed and stipulated that the interest of justice served by granting this  
4 continuance exceeds the interest of the public and the defendant in a speedy trial.

5 Accordingly, the parties respectfully request the Court adopt this proposed stipulation.

6  
7 IT IS SO STIPULATED

8 DATE: July 8, 2005

9  
10 s/Hayes H. Gable, III  
**HAYES H. GABLE, III**  
Attorney for Defendant

11 DATE: July 8, 2005

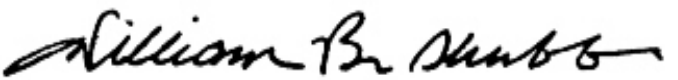
12 s/Matthew Segal  
**MATTHEW SEGAL**  
Asst. U.S. Attorney

13  
14 **ORDER FINDING EXCLUDABLE TIME**

15 For the reasons set forth in the accompanying stipulation and declaration of counsel filed under seal,  
16 the status conference in the above-entitled action is continued to August 17, 2005, at 9:00 a.m. The  
17 court finds excludable time in this matter from July 13, 2005 through August 17, 2005, under 18  
18 U.S.C. § 3161(h)(8)(B)(iv) and Local Code T4, to allow continuity of counsel and to allow  
19 reasonable time necessary for effective presentation. For the reasons stipulated by the parties, the  
20 Court finds that the interest of justice served by granting the requested continuance outweigh the best  
21 interests of the public and the defendant in a speedy trial. 18 U.S.C. 3161(h)(8)(A), (h)(8)(B)(iv).

22 IT IS SO ORDERED.

23 DATE: July 11, 2005

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25   
26 **WILLIAM B. SHUBB**  
27 **UNITED STATES DISTRICT JUDGE**  
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